IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 5453 of 2007(Y)

PETITIONER:

V.K. HAREENDRAN, S/O.RAMANATHA PANICKER
PANIKKAVEETTIL HOUSE, VELLANCHERI,
THRIKKANAPURAM, MALAPPURAM.

BY ADV. SRI.K.RAMACHANDRAN
SMT.R.MEERA

RESPONDENTS:

---

1. **VARIYATHUVALAPPIL MOHANDAS,**
   S/O.MADHAVAN NAIR, VELLANCHERI,
   THRIKKANAPURAM, MALAPPURAM.

2. **K.V. KOMAN, S/O.MAMBI,**
   KALARIKKALVALAPPIL HOUSE,
   MATHUR, ALATHUR, MALAPPURAM.

BY ADV. SRI.MOHAN PULIKKAL for R1
SMT.MANJU RAJAN
SMT.A.AMRUTHA VIDYADHARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.5453/2007 Y

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF I.A.NO.53/07 FILED IN O.P.(Ele.) NO.34/05 BEFORE THE MUNSIFF'S COURT, PONNANI.**

EXT.P2: **COPY OF THE ORDER OF THE MUNSIFF'S COURT, PONNANI IN I.A.NO.53/07 IN O.P.(Ele.) NO.34/05 DTD. 24/01/2007.**

/TRUE COPY/

KSS

M.N. KRISHNAN, J.

= = = = = = = = = = = = = = = = =
W.P.(C) No. 5453 OF 2007 Y
= = = = = = = = = = = = = = = = =

Dated this the 31st May, 2007

J U D G M E N T

This writ petition is filed challenging the order of the Munsiff-Magistrate, Ponnani, in I.A. No. 53 of 2007 in O.P. (Election) No. 34/05. The said petition is filed to summon certain documents and mark them in evidence as they are relevant. Admittedly, the documents sought to be produced are before the court in sealed covers. The petitioner wants to make use of some of those documents for the trial of his case. If they are irrelevant and it cannot be looked into that can be done by the other side at the time of attempting to mark the documents. Without opening the sealed covers one cannot hold whether those documents are really relevant or irrelevant. Therefore, leaving open the right to the respondents to challenge the admissibility or otherwise of the documents the

petitioner is permitted to get those documents from the court for the purpose of trial of the case. Hence, the order under challenge is set aside and the writ petition is allowed.

M.N. KRISHNAN
JUDGE

jan/